



Indiana Department of Natural Resources

## Motion Picture – Audio – Commercial Photography Use Agreement Instructions for Production Companies and Photographers

We invite production companies and commercial photographers to consider Indiana Department of Natural Resources properties for film shoots. However, our primary concern is managing and conserving the natural and cultural resources at our properties, which may or may not be compatible with filming requests.

### Definitions

- **Motion Picture or Audio Production** means a: (1) feature length film, (2) video, (3) television series, (4) commercial, (5) music video or an audio recording; or , (6) corporate production for any combination of theatrical, television, or other media viewing or as a television pilot. The term does not include a motion picture that is obscene (as described in IC 35-49-2-1) or television coverage of news or athletic events.
- **Commercial Photography** is defined as the process of creating a still picture by recording an image on photographic film or electronic sensor for the purposes of wholesale, retail or professional use and for which the photographer is paid, either for the subject of the photography or for the photograph itself.

### Who Should Apply for a Permit

- Any individual or company interested in using Indiana's state parks, state forests, reservoirs, fish and wildlife areas or historic sites for the filming of a **motion picture or audio production**.
- Any individual or company interested in using Indiana's state parks, state forests, reservoirs, fish and wildlife areas or historic sites for **commercial photography** that (1) takes place at the location(s) where or when members of the public are generally not allowed, (2) uses paid or volunteer models, sets, props or equipment that are not a part of the location's natural or cultural resources or administrative facilities or that may restrict public access for any period of time, (3) involves human portrait subjects where photos will be sold commercially except for the situations identified in the "Who Does Not Need a Permit" section below, (4) involves artifacts that are accessioned into property or division collections, or (5) where the property would incur additional administrative costs for monitoring the photo shoot.

## Who Does Not Need to Apply for a Permit

Permits are generally not required for the types of photography listed below; however photographers must still communicate with property managers to confirm their status:

- Professional journalists and photographers working on pieces or producing images designed to inform the public regarding natural or cultural resources or agency activities and initiatives. This includes journalists and photographers working on assignments for media outlets, or gathering information, images or footage with the intent to sell them to a media outlet of any type, either previously arranged or in the future. It may include but is not limited to breaking news, b-roll film, feature news, news documentaries, long-form pieces, background, blogs and any other output that would be considered related to the constitutionally protected activities of news gathering or reporting. (Note - A permit *may* be required for news gathering activities if it is necessary to protect natural and cultural resources, to avoid visitor use conflicts, to ensure public safety or authorize entrance into a closed area. However, obtaining a permit will not interfere with the ability to gather the news or with other constitutionally protected activities of journalists.)
- Photographers working directly in conjunction with DNR and local tourism organizations to develop approved promotional materials for DNR or individual properties.
- Photographers of paid events such as weddings and conferences scheduled at Indiana State Park Inns and other DNR reserved facilities (shelters, pavilions, group camps, etc.) as long as photographs are only of activities directly associated with those paid events.
- Casual and amateur photographers who shoot images of natural resources, cultural resources, or family members and friends using property facilities for pleasure and to share with others with no intent to sell their work.

## What are the Costs?

- A commercial photography permit is \$100/calendar year, and is accompanied by an annual pass that provides access to all DNR properties. For the remainder of 2015, an individual who can show proof of the prior purchase of a 2015 annual pass will be charged only \$50. Beginning in 2016, the permit fee is \$100 regardless of the date of purchase or whether the individual applying already purchased another form of gate entrance such as an annual pass. One permit will be issued that can be presented at any property throughout the year, but restrictions may still apply for specific locations, types of photography and seasons. Therefore, it is important to contact the property manager at the site where you wish to shoot prior to arrival to review the elements you anticipate for the shoot and obtain approval. A new permit (and accompanying annual pass) must be obtained annually.

- Filming on state lands is free of charge (per IC 4-13-1-4(17)) but costs may be recouped for any DNR staff involvement that is required. Donations are also welcome. A written permit must be obtained for each shoot.

### **Process for Application – Motion Picture and Audio Productions**

1. At least 90 days prior to the beginning of your production schedule, contact the property manager at the location(s) you want to use to discuss your request and establish dates for scouting if needed. (*Note – we will make every effort to work with you if it is less than 90 days, but we cannot guarantee processing with less than two weeks' notice.*) Contact information for DNR properties is available in the Indiana Recreation Guide, posted online at [www.in.gov/dnr/](http://www.in.gov/dnr/). Be prepared to provide a brief overview of your project including the settings required, the number of people and amount of equipment planned for use, the general content of the scenes, and the end use(s) of the film. (*Note – in some situations you may be referred to department administrators.*) All gate and other fees apply during scouting trips.
2. Review, complete and sign the DNR Motion Picture – Audio – Commercial Photography Use Agreement as provided by the property manager or accessed on the web at [www.in.gov/dnr/3214.htm](http://www.in.gov/dnr/3214.htm) or [www.stateparks.IN.gov](http://www.stateparks.IN.gov). **Your signature indicates that you have read and will abide by all rules and conditions in the document if given permission to film.**
3. Return the agreement to the property manager for review. The property manager may ask you for additional specific information prior to finalizing a decision. Completion of the use agreement does not guarantee approval of the requested site for your project. Impact on natural and cultural resources, other property users, staff and public perception are all considered in the decision.

### **Process for Application – Commercial Photography**

1. At the beginning of the calendar year or least 90 days prior to the beginning of your first commercial photography shoot, contact the property manager at the location(s) you want to use. (*Note – we will make every effort to work with you if it is less than 90 days, but we cannot guarantee processing with less than two weeks' notice.*) Contact information for DNR properties is available in the Indiana Recreation Guide, posted online at [www.in.gov/dnr/](http://www.in.gov/dnr/). Be prepared to provide a brief overview of your commercial photography business, including the settings required, the typical number of people and amount of equipment planned for use, the general content of the photographs, and the end use(s) of the photographs. (*Note – in some situations you may be referred to department administrators.*)
2. Review, complete and sign the DNR Motion Picture – Audio – Commercial Photography Use Agreement as provided by the property manager or accessed on the web at [www.in.gov/dnr/3214.htm](http://www.in.gov/dnr/3214.htm) or [www.stateparks.IN.gov](http://www.stateparks.IN.gov). **Your signature indicates that**

**you have read and will abide by all rules and conditions in the document if given permission to complete commercial photography shoots on DNR properties.**

3. Return the agreement to the property manager for review. The property manager may ask you for additional specific information prior to finalizing a decision. Completion of the use agreement does not guarantee approval of the requested site for your project. Impact on natural and cultural resources, other property users, staff and public perception are all considered in the decision.
4. If approved, you will receive an annual pass, which must be presented at property entrance gates along with your permit for commercial photography shoots throughout the calendar year at any Indiana DNR property. Please contact the property manager at the site where you wish to shoot prior to arrival to review the elements you anticipate for the shoot and ensure that the location and activity comply with property rules. Any special restrictions or guidelines will be provided to you by email and can be attached to your permit.

### **Image Rights Permission Requests**

Image Rights Permission requests (an entity wishing to use an image belonging to the state) are handled directly through the DNR Division of Communications. Visit [www.in.gov/dnr/5348.htm](http://www.in.gov/dnr/5348.htm), email [photos@dnr.in.gov](mailto:photos@dnr.in.gov) or call 317-234-5509.

### **Who to Contact with Questions**

For general questions regarding these instructions, contact the Division of Communications at 317-234-5509.

**State Parks & Reservoirs:** Ginger Murphy, 317-232-4143

**State Forests:** Dan Ernst, 317-232-4101

**State Fish & Wildlife Areas:** Amanda Wuestefeld, 317-234-8442

**State Nature Preserves:** John Bacone, 317-232-4054

**Redbird or Interlake State Riding Areas:** Dale Brier, 317-232-4072

**State Historic Sites:** Laura Minzes, 317-232-0069